

**TOWN OF GRANBY
ZONING BOARD OF APPEALS
MINUTES
OCTOBER 15, 2013**

Present: Wayne Chapple, Ann Crimmins, William Percival, Judy Goff, and Suzanne Yucha

Chairman Chapple convened the meeting at 7:40 p.m. and secretary William Percival read the Legal Notice. The Legal Notice was published on October 4, 2013 and October 11, 2013 in the Connecticut Section of the *Hartford Courant*.

REGULAR MINUTES

ON A MOTION by A. Crimmins, seconded by S. Yucha, the Board voted 3-0-2 to approve the minutes of the regular meeting of September 17, 2013 as presented. W. Percival and J. Goff abstained.

Chairman Chapple explained the procedure of the meeting and noted to those in attendance that decisions would generally be mailed to the applicant within ten days. Approval, when granted, shall be null and void if not filed within 90 days of the approval date.

PUBLIC HEARING

The hearing on the appeal by Gerald Salmonsens of Manitook Motors seeking a Certificate of Approval, per Section 14-54(b) of the Connecticut General Statutes for permission to use property located at 388 Salmon Brook Street for automobile repairs, opened at 7:43 p.m.

Gerald Salmonsens, 7 Ridge Road and Thomas Macbeth, 359 Salmon Brook Street, appeared to explain their request. They are partners in an LLC. They would like to obtain a full repair license for their business.

Matters reviewed included:

- A boat is being stored on the premises (Mr. Salmonsens's) and he agreed to remove it. There is a second boat there which will also be removed soon;
- Vehicles aren't parked there for very long – they are dropped off, get worked on, and are picked up usually by the next day. Mr. Macbeth presently has an unregistered vehicle on site. He is planning to make repairs to it and register the vehicle in the near future;
- No towing service is provided by this business;
- Oil is contained and properly disposed of (a minimal fee is charged to the customer for this) by CT Oil Recycling Services;
- Tires are brought to a local tire shop to be properly disposed of (a minimal fee is charged to the customer for this);
- Mr. Salmonsens has a lease (since 2008) for this property with Harold Greci, property owner. He doesn't think there is a requirement in the lease regarding a repair license being held by him as a renter. He is not a relative of the property owner;
- The septic tank is located in front of the building with the leach field under the parking lot area. This was last pumped out early summer 2013;
- The well is at the south end of the building and is thought to be 75-85' from the leach field;
- This business was started in 2008. It has been a sole proprietorship from 2008 through July 2013 when the business became an LLC. He has a federal employee I.D. number,

which was provided to Chairman Chapple. Mr. Salmonsens is not a certified mechanic but Mr. Macbeth is. Mr. Salmonsens has worked on cars since 1971;

- Chairman Chapple questioned if bodywork was being done on the premises. Mr. Salmonsens said he has done minimal bodywork on his own vehicle there;
- Vehicles are not rented at this location, nor are there any plans to be selling vehicles;
- Minimal repairs are done on scooters, motorcycles, and boats;
- Stacks of tires in front of the building have mostly been removed, except for two stacks with sleeves that will be used for advertising. They are working to clean up the outside area;
- Chairman Chapple asked about outstanding taxes. Mr. Salmonsens said he doesn't know about that because he's not the property owner;
- 388B Salmon Brook Street – Chairman Chapple asked about this address. Mr. Salmonsens said this is a storage area on the premises and because he rents his home, he has his mail sent here;
- Business work hours are expected to be from 8 a.m. to 5 p.m. Monday through Friday;
- There are no other employees;
- Mr. Salmonsens has a dock in the back and there are two boats and a kayak there;
- DMV asked Mr. Salmonsens to stop doing business at the 388 Salmon Brook Street location on September 12, 2013 and has explained the process to get a repair license. The business is presently shut down until all matters are resolved and the proper repair license is obtained.

History shows that in the past one owner had a full repair license, the next had a limited repair license and the next also had a limited repair license.

There was no public comment.

At 8:26 p.m., ON A MOTION by A. Crimmins, seconded by S. Yucha, the Board voted unanimously (5-0-0) to continue this public hearing to November 19, 2013.

The hearing on the appeal by Martin Cunningham seeking a variance to front yard requirements to allow construction of a garage for property located at 110 Canton Road, opened at 8:28 p.m.

Martin Cunningham, 110 Canton Road appeared before the Board. He plans to remove a 12x20 foot carport, 10x12 foot shed, and a 12x20 foot shelter building. He plans to construct a 24x24 foot garage partially on the same site as the carport was. The garage will be nine feet high without a second floor and will be built on stone with a wooden floor. There is no well on the property and he noted where the septic system is and the leach fields are off the back of the carport to the right side. He noted Town of Granby land and McLean's Game Refuge about this property. This is a non-conforming property.

There was no public comment.

This public hearing closed at 8:45 p.m.

ON A MOTION by W. Percival, seconded by A. Crimmins, the Board voted unanimously (5-0-0) to grant an appeal to front yard requirements for Martin Cunningham, as outlined in the subject file, for property located at 110 Canton Road as follows:

a front yard variance is approved to allow for construction of garage, which may be placed no closer than 36-feet from the road to the building line, as proposed.

The hardship is the non-conforming nature of the lot.

The meeting adjourned at 8:48 p.m.

Respectfully submitted,

Susan Christian
Recording Secretary